

REMARKS

STATUS OF THE CLAIMS

In accordance with the foregoing, claims 1 and 7 have been amended. New claim 13 has been added. Claims 1-13 are pending and under consideration.

No new matter is being presented, and approval of the amended and new claims is respectfully requested.

REJECTIONS OF CLAIMS 1-3, 6-8, 11 AND 12 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER YOSHIURA ET AL. (U.S. PATENT NO. 6,131,162) IN VIEW OF HIRAI (U.S. 2002/0083324 A1)

The rejections of claims 1-3, 6-8, 11 and 12 are respectfully traversed and reconsideration is requested.

Yoshiura et al. (hereinafter "Yoshiura") relates to a method for identifying a purchaser who purchased content from which an illegal copy was produced. A provider system encrypts content purchased by the purchaser using a public key of a purchaser system and sends the encrypted content to the purchaser system. The purchaser system creates a digital signature of the content with the user using a private key of its own and embeds the created digital signature into the received content. When an illegal copy is found, the provider system verifies the digital signature, embedded in the illegal copy as a digital watermark, to identify the purchaser who purchased the content from which the illegal copy was produced.

The Examiner notes that Yoshiura does not disclose a second apparatus which effects data processing on the image data received from the first apparatus to acquire stegano data, the second apparatus sending the acquired stegano data as the result of processing to the first apparatus and, thus, Hirai is cited as disclosing these features. (Citing Hirai page 4, paragraph (0059), page 5, paragraph (0061), and page 6, paragraphs (0087) and (0089)).

Hirai relates to a digital watermark. The content is distributed over a first transmission channel. A digital watermark signal to be superimposed on the content is transmitted over an encrypted second transmission channel. When the digital watermark is required, it is superimposed on the content and is then transmitted via, for example, an analog connection terminal. Alternatively, the digital watermark is decrypted and is obtained over the second transmission channel. The digital watermark obtained via the first transmission channel is then subtracted from the content, thereby removing the digital watermark. It is impossible for a third party to extract the digital watermark transmitted via the second transmission channel in a meaningful form. Thus, the content is protected from illegal use.

The references cited by the Examiner relate to watermark technology. Yoshiura's

disclosure is a method of obtaining content by use of the purchaser's own public key and is quite different from the method, according to embodiments of the present invention, in which the receiver extracts a digital watermark signal contained in data, and sends it to the transmitting side for display. That is, as the Examiner notes, Yoshiura does not teach or suggest data processing on the image data received from the first apparatus to acquire stegano data, the second apparatus sending the acquired stegano data as a result of processing to the first apparatus, as recited in independent claim 1.

Hirai provides two transmission channels from the very beginning, and the transmitting side transmits only the digital watermark through a separate transmission channel. In contrast, according to embodiments of the present invention, there is one transmission channel used by the transmitting side (e.g., first apparatus), and stegano data is obtained after application of a prescribed data processing on the receiving side (e.g., second apparatus). The stegano data on the receiving side (e.g., second apparatus) is returned to the transmitting side (e.g., first apparatus) and can be displayed on the display unit on the transmitting side. Accordingly, independent claim 1, for example, recites a second apparatus which effects data processing on the image data *received from the first apparatus* to acquire stegano data, *the second apparatus sending the acquired stegano data as a result of processing to the first apparatus*. Therefore, it is respectfully submitted that Hirai fails to teach or even suggest the features of independent claim 1, described above. Thus, it is further submitted that independent claim 1 patentably distinguish over the prior art.

Independent claims 7 and 12 recite similar features to those discussed above for independent claim 1. Thus, it is respectfully submitted that independent claims 7 and 12 patentably distinguish over the cited art for at least the reasons provided above. The pending dependent claims inherit the patentability of their respective independent claim and, thus, it is further submitted that the dependent claims patentably distinguish over the prior art for the reasons set forth above.

REJECTIONS OF CLAIMS 4, 5, 9 AND 10 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER YOSHIURA IN VIEW OF HIRAI AND FURTHER IN VIEW OF STACH ET AL. (U.S. PATENT NO. 7,068,809)

The rejections of claims 4, 5, 9 and 10 are respectfully traversed and reconsideration is requested.

Claims 4 and 5 depend from independent claim 1 and claims 9 and 10 depend from independent claim 7. Dependent claims 4, 5, 9 and 10 inherit the patentability of their respective

base claim and, thus, it is respectfully submitted that claims 4, 5, 9 and 10 patentably distinguish over the prior art for at least the reasons provided herein.

Further, Stach relates to segmentation techniques used in methods for embedding and detecting digital watermarks in multimedia signals. Stach discusses a preliminary processing which modulates a message with carrier signals such as quasi-random member signals by an encrypting technology centering around a secret key. Thus, it is further submitted that Stach fails to cure the deficiencies of Yoshiura and Hirai discussed above.

NEW INDEPENDENT CLAIM 13

New independent claim 13 is a method claim with features corresponding substantially to independent claim 12. Therefore, it is respectfully submitted that new independent claim 13 patentably distinguishes over the prior art for at least the reasons provided above for independent claim 12.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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